

**SUPREME COURT MINUTES  
TUESDAY, AUGUST 18, 2009  
SAN FRANCISCO, CALIFORNIA**

**S171895**      G039028 Fourth Appellate District, Div. 3      **PEOPLE v. HERRERA  
(HONORIO MORENO)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to September 18, 2009.

Based on the representation of Kelley Johnson, counsel for respondent, that she anticipates completing respondent's opening brief by that date, no further extensions of time are contemplated.

**S173309**      A113020 First Appellate District, Div. 2      **PEOPLE v. ARY, JR.,  
(JAMES)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Kyle Gee is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

**S173482**      **FINCH ON DISCIPLINE**

Recommended discipline imposed

The court orders that RONALD GRADY FINCH, State Bar Number 70822, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. RONALD GRADY FINCH must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 21, 2009; and
2. At the expiration of the period of probation, if RONALD GRADY FINCH has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

RONALD GRADY FINCH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7

and as a money judgment.

**S173484****FIGGINS ON DISCIPLINE**

Recommended discipline imposed

The court orders that ROBERT SHAYNE FIGGINS, State Bar Number 157941, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. ROBERT SHAYNE FIGGINS is suspended from the practice of law for the first 90 days of probation;
2. ROBERT SHAYNE FIGGINS must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on January 22, 2009; and
3. At the expiration of the period of probation, if ROBERT SHAYNE FIGGINS has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

ROBERT SHAYNE FIGGINS must take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

ROBERT SHAYNE FIGGINS must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S173488****KITT ON DISCIPLINE**

Recommended discipline imposed

The court orders that ELI ALAN KITT, State Bar Number 217753, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. ELI ALAN KITT is suspended from the practice of law for a minimum of the first two years of probation and he will remain suspended until the following requirement is satisfied:
  - i. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. ELI ALAN KITT must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on January 15, 2009.
3. At the expiration of the period of probation, if ELI ALAN KITT has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that

suspension will be terminated.

ELI ALAN KITT must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and furnish satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

ELI ALAN KITT must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S173907****STEIN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MARK STEVEN STEIN, State Bar Number 173808, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

MARK STEVEN STEIN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S173909****MRICH ON DISCIPLINE**

Recommended discipline imposed

The court orders that LOTFY MRICH, State Bar Number 202286, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. LOTFY MRICH is suspended from the practice of law for the first 30 days of probation.
2. LOTFY MRICH must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on February 5, 2009.
3. At the expiration of the period of probation, if LOTFY MRICH has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

LOTFY MRICH must take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section

6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for the years 2010 and 2011. If LOFTY MRICH fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S174351**      D053390 Fourth Appellate District, Div. 1

**SAN DIEGO FIREFIGHTERS,  
LOCAL 145, IAFF, AFL-CIO  
v. CITY OF SAN DIEGO**

Order filed

The order filed on August 12, 2009, denying the petition for review is amended to reflect the title above.